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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/691,395	10/21/2003	Hisashi Saiga	55051 DIV (71117)	2475
21874 7590 06/20/2007 EDWARDS ANGELL PALMER & DODGE LLP P.O. BOX 55874 BOSTON, MA 02205			EXAMINER SHIH, HAOSHIAN	
			ART UNIT 2173	PAPER NUMBER
			MAIL DATE 06/20/2007	DELIVERY MODE PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

## Office Action Summary

Application No.

10/691,395

Applicant(s)

SAIGA ET AL.

Examiner

Haoshian Shih

Art Unit

2173

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

### Status

- 1) ☒ Responsive to communication(s) filed on 17 April 2007.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

### Disposition of Claims

- 4) ☒ Claim(s) 1-9, 11-15 and 38-61 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-9, 11-15 and 38-61 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 23 October 2003 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

### Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some \* c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

### Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO/SB/08)  
Paper No(s)/Mail Date 20070607.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_.

**DETAILED ACTION**

1. Claims 1-9, 11-15 and 38-61 are pending in this application and have been examined in response to applicant's response filed on 04/17/2007.
2. Claims 10 and 16-37 are canceled, without prejudice by the applicant.
3. Claim 61 is added by the applicant.

***Claim Rejections - 35 USC § 102***

4. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

5. **Claims 1-9,11-15 and 38-61 are rejected under 35 U.S.C. 102(e) as being unpatentable by Walker (US 6,279,017 B1).**
6. As to **INDEPENDENT** claim 1, Walker discloses a data displaying device comprising a storage means with data stored therein, a display means, and a display control means for controlling the display of the data stored in the storage means on the

data display means, characterized in that:

a remark display control means (col.3, lines 35-40; "reading system") is provided for visually displaying a visual confirmation guide for distinguishing a specified area of data being displayed on the display means (col.3, lines 26-35; various "visual signals" are provided to distinguish area of the text display based on the provided "visual attributes").

7. As to **INDEPENDENT** claim 14, claim 14 incorporates substantially similar subject matter as claimed in claim 1, and is rejected under the same rationale.

8. As to **INDEPENDENT** claim 15, Walker discloses a data storage medium containing a record of a data display program readable by a computer to realize:

a function for displaying a visual confirmation guide using a difference in visibility (col.6, lines 27-39; a list of visual confirmation guide rules is listed),

a function for distinguishing displayed data by the displayed visual confirmation guide visually (col.3, lines 26-35; various "visual signals" are provided to distinguish area of the text display based on the provided "visual attributes"), and

a function for moving or deforming the visual confirmation guide at a speed preset according to the complexity of characteristics of the data being displayed or the frequency of data displayed thereby so as to make the data displayed thereby easier to read (col.39, lines 51-53).

9. As to claim 2, Walker discloses the remark display control means displays the visual confirmation guide superimposed on data being displayed on the display means (col.3, lines 30-31; "animation").

10. As to claim 3, Walker discloses the remark display control means visually distinguishes the data being displayed with the visual confirmation guide from the data being displayed by said specified area of the display means by deforming the data being displayed by said specified area of the display means (col.9, lines 40-50; "animation") or adding information thereto and thereafter displaying the distinguished data with the visual confirmation guide (col.9, lines 54-63; "tagging" provides added definition to the text).

11. As to claims 4 and 38, Walker discloses the remark display control means moves and displays the visual confirmation guide (col.7, lines 33-43; col.9, lines 11-23; the "Minimum Text segment length" and "advancement rates" indicates the movement of the visual confirmation guide).

12. As to claims 5 and 39, Walker discloses the remark display control means deforms and displays the visual confirmation guide (col. 9, lines 40-50; col.10, lines 47-53; features such as "blinking", "dissolving" and "highlighting" deforms the visual confirmation guide).

13. As to claims 6 and 40-42, Walker discloses the remark display control means simultaneously deforms, moves and displays the visual confirmation guide (fig.11; col. 15, lines 56-67; the visual confirmation guide moves and highlights simultaneously).

14. As to claims 7 and 43-45, Walker discloses the remark display control means, prior to moving and displaying the visual confirmation guide, refers to a preset moving speed, and thereafter, moves and displays the visual confirmation guide using the preset moving speed (col.3, lines 37-40; col.9, line 10; The "reading system" retrieves a set of defined rules such as "Advancement Rates").

15. As to claim 8 and 46-48, Walker discloses the remark display control means, prior to moving and displaying the visual confirmation guide, refers to a preset moving distance, and thereafter, deforms and displays the visual confirmation guide by using the preset moving distance (col.3, lines 37-40; col.7, lines 30-31; The "reading system" retrieves a set of defined rules such as "minimum text segment length & maximum line length").

16. As to claims 9 and 49-51, discloses the remark display control means is adapted  
(i) to initiate movement of the visual confirmation guide in a specified direction and/or deformation of the data displayed thereby from a stopped and/or not deformed condition thereof (col.3, lines 37-41; "starting"; col.6, lines 27-39; a list of visual confirmation guide rules is listed), and

(ii) to stop movement of the visual confirmation guide in a specified direction and/or deformation of the data displayed thereby (col.17, lines 26-29; "text presentation stops" upon a users request).

17. As to claims 11 and 52-54, Walker discloses the remark display control means moves or deforms the visual confirmation guide at a speed based on the complexity of characteristics represented by the data being displayed by the visual confirmation guide (col.10, lines 50-53; "complex special event").

18. As to claims 12 and 55-57, Walker discloses the remark display control means moves or deforms the visual confirmation guide at a speed based on frequency of data being displayed by the visual confirmation guide (col.39, lines 51-53).

19. As to claims 13 and 58-60, Walker discloses the remark display control means moves or deforms the visual confirmation guide at a speed based on a combination of the complexity of characteristics represented by the data being displayed (col.10, lines 50-53) with the frequency (col.39, lines 51-53) of data being displayed by the visual confirmation guide.

20. As to claim 61, Walker discloses the remark display control means is adapted to selectively erase the visual confirmation guide being displayed at any specified time (col.17, lines 26-29; "text presentation stops" upon a users request).

### ***Response to Arguments***

21. Applicant's arguments, see page 16 filed 04/17/2007 with respect to claims 1-9, 11-15 and 38-60 have been fully considered and are persuasive. The rejection of claims 1-9, 11-15 and 38-60 has been withdrawn. Accordingly, applicant's arguments are moot based on the new ground of rejection.

### **Conclusion**

The prior art made of record on form PTO-892 and not relied upon is considered pertinent to applicant's disclosure. Applicant is required under 37 C.F.R. 1.111(c) to consider these references fully when responding to this action.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Haoshian Shih whose telephone number is (571) 270-1257. The examiner can normally be reached on m-f 0730-1700.

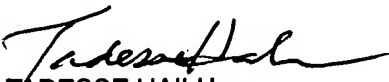
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John Cabeca can be reached on (571) 272-4048. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Art Unit: 2173

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

HSS



TADESSE HAILU  
PRIMARY EXAMINER